

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

THE ZION CHURCH,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 1:15-cv-1220
)	
CHURCH MUTUAL INSURANCE)	
COMPANY,)	
)	
Defendant.)	

NOTICE OF REMOVAL

Church Mutual Insurance Company, through their undersigned counsel pursuant to 28 USC §§1332, 1441(b), and 1446, hereby files this Notice of Removal and provides Notice to this Honorable Court and all interested parties that the above-captioned case is hereby removed to the United States District Court for the Western District of Tennessee, Eastern Division. In support of the Notice of Removal, Defendant would show the Court as follows:

1. On July 21, 2015 a Complaint was filed against the Defendant in the Circuit Court for Madison County, Tennessee, at Jackson, by the Plaintiff, The Zion Church, entitled The Zion Church v. Church Mutual Insurance Company, and Case No. C-15-221. Defendant received Plaintiff's Complaint when a copy was

originally served on them August 4, 2015 via service of process through Corporation Service Company. (Exhibit 1).

2. Attached hereto as Exhibit 2 are copies of all process and pleadings heretofore filed in the State Court action and served on Defendants.

3. This Notice of Removal is based on 28 USC §§1332 and 1441(b). These sections provide that an action shall be removable if the Federal District Court has original jurisdiction over the subject matter of the Complaint. 28 USC §1441(b). Original jurisdiction arises in two (2) distinct circumstances: (1) Where the controversy in the civil action involves a "federal question" (28 USC §1331); or (2) Where the matter in controversy exceeds Seventy-Five Thousand (\$75,000.00) Dollars and there is a total diversity of citizenship of the parties (28 USC §1332).

4. This Honorable Court has jurisdiction herein pursuant to 28 USC §1332 as the Plaintiff is a Tennessee non-profit corporation with its principal place of business located at 2970 Old Medina Road, Jackson, Tennessee; while Church Mutual Insurance Company is an insurance company with its principal place of business located at 3000 Schuster Lane, Merrill, Wisconsin. Therefore, complete diversity of citizenship exists in this matter.

5. The amount of this action exceeds the Seventy-Five Thousand (\$75,000.00) Dollar jurisdictional requirement as Plaintiff has brought suit against the Defendant for Four Million Four Hundred Thousand (\$4,400,000.00) Dollars.

Now, within thirty (30) days after the receipt by the Defendant of a copy of the initial pleading setting forth the claim for relief on which the Plaintiff's action is based, notice is hereby give, in accordance with 28 USC §1446 and pursuant to Rule 11 of the Federal Rules of Civil Procedure, of the removal of said action to this Court.

Respectfully submitted,

LUTHER-ANDERSON, PLLP

s/Daniel J. Ripper
DANIEL J. RIPPER, BPR #15642
Attorney for Defendant
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423-756-5034

CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2015 a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent by operation of the court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Clerk's electronic filing system.

LUTHER - ANDERSON, PLLP

BY: s/Daniel J. Ripper

Daniel J. Ripper